

214059
BEFORE THE
SURFACE TRANSPORTATION BOARD



FINANCE DOCKET NO. 32760, SUB-FILE 44

IN THE MATTER OF ARBITRATION BETWEEN UNION PACIFIC RAILROAD
COMPANY AND BROTHERHOOD OF LOCOMOTIVE ENGINEERS & TRAINMEN

(Arbitration Review)

CARRIER'S MOTION FOR LEAVE TO EXCEED THE PAGE LIMIT

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Public Record

Respectfully submitted,

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RESPONDENT'S MOTION FOR LEAVE TO EXCEED THE PAGE LIMIT

Respondent Union Pacific Railroad Company ("UP") moves the Board to enter an Order allowing it to file its brief and appendix of exhibits, which, in total, exceed the thirty (30) page limit established by 49 C.F.R. § 1115.2. In support of its Motion, UP states as follows:

1. The Appeal before this Board arises from an Award entered in April, 2005, by James R. McDonnell. The Claimant is the Brotherhood of Locomotive Engineers & Trainmen ("BLET").


2. BLET filed its Appeal, which included a brief and over 1000 pages of exhibits. In response, UP yesterday filed its Reply Brief, which totals 18 pages. UP has also submitted a separate appendix of the exhibits that it cites in its Reply Brief. All of these exhibits are also contained in BLET's appendix of exhibits, but have been submitted separately by UP for the convenience of the Board. The Award is also submitted within the bound volume of tabbed exhibits that are necessary for a full understanding of the issues presented in this appeal.

3. No party will be prejudiced by the Board's permission for UP to exceed the thirty page limit.

WHEREFORE, Carrier Union Pacific Railroad Company respectfully requests the Board to enter an Order allowing it to file its brief and the appendix including the award at issue and exhibits, which, in total, exceed the thirty (30) page limit of 49 C.F.R. § 1115.2, and for such other relief as is just.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served, via United States mail, first class postage prepaid, this 24th day of May 2005 on Thomas H. Geoghegan & Carol Nguyen, Despres, Schwartz & Geoghegan, 77 West Washington St., Suite 711, Chicago, IL 60602.

